

815 KAR 8:070. Installation permits.

RELATES TO: KRS 198B.654, 198B.6671-198B.6678, Chapter 236

STATUTORY AUTHORITY: KRS 198B.654(1)(a), 198B.6673(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 198B.654(1)(a) requires the department to promulgate administrative regulations to administer, coordinate, and enforce KRS 198B.650 through 198B.689. KRS 198B.6673(1) requires the department to establish a reasonable schedule of fees to be paid for HVAC installation permits and inspections. This administrative regulation establishes the process, procedures, and fees for obtaining HVAC installation permits in Kentucky.

Section 1. Permit Required. (1) An HVAC installation permit shall be required for the initial heating, ventilation, or air conditioning system:

- (a) For all new construction installations of heating, ventilation, or air conditioning systems;
- (b) For all construction additions in which an additional heating, ventilation, or air conditioning system is installed; and
- (c) For all existing buildings in which the first heating, ventilation, or air conditioning system is being installed.

(2) Permit application. An application shall be made for a permit prior to installation on the appropriate form:

- (a) HVAC Construction Permit Application: Commercial Buildings;
- (b) HVAC Construction Permit Application: Multi-family Dwellings;
- (c) HVAC Construction Permit Application: One & Two Family Dwellings; or
- (d) HVAC Construction Permit Application: Homeowner One & Two Family Dwellings.

Section 2. Issuance of HVAC Permits. (1) A permit to construct, install, or alter a heating, ventilation, or air conditioning system shall only be issued to a licensed master heating, ventilation, and air conditioning contractor, except as provided by subsection (2) of this section.

(2) A permit to construct, install, or alter a heating, ventilation, or air conditioning system shall be issued to a homeowner who installs a heating, ventilation, or air conditioning system in the homeowner's legal residence or in a home constructed by a homeowner for personal residential use, if all the requirements of this subsection are met.

(a) Application for the permit shall be made on the HVAC Construction Permit Application: Homeowner One (1) & Two (2) Family Dwellings prior to the initiation of the HVAC work.

(b) The homeowner shall file with the application:

- 1. An affidavit stating that the homeowner shall abide by the terms of this administrative regulation;
- 2. Proof of adequate sizing of heating, ventilation, or air conditioning system to be installed; and
- 3. A complete design plan of all related duct and piping of system.

(c) All work shall be performed in compliance with the Kentucky Residential Code in 815 KAR 7:125 and the Kentucky Building Code in 815 KAR 7:120.

(d) All the work shall be personally performed by the owner.

(3) Only one (1) homeowner HVAC construction permit shall be issued to an individual within a five (5) year period.

Section 3. Issuance of HVAC Related Permits. (1) A permit shall be issued and inspections performed upon request for the replacement of:

- (a) Furnaces;

- (b) Condensing units;
- (c) Heat pumps;
- (d) Fan coil units;
- (e) Chiller systems; or
- (f) Heating boiler systems not covered by KRS Chapter 236.

(2) An HVAC correction and testing permit may be requested for projects in which a contractor assumes responsibility to:

- (a) Make corrections;
- (b) Test an installation performed by another contractor; or
- (c) Install a system for which another master contractor has obtained a permit.

Section 4. Permit Fees. (1) One (1)- and Two (2)- Family Dwelling Installations and Homeowner permits. The fee for each heating, ventilation, or air conditioning system installation permit for one (1)- and two (2)- family dwellings and Homeowner permits shall be \$105 for the first system plus fifty (50) dollars for each additional system.

(2) Multi-Family Dwelling Installations. The fee for each heating, ventilation, or air conditioning system installation permit for multi-family dwellings other than duplexes, shall be \$105 for the first system plus fifty (50) dollars for each additional system.

(3) Commercial installations.

(a) The fee for each heating, ventilation, or air conditioning system installation permit other than one (1), two (2), and multi-family dwellings shall be based upon the total dollar value of each HVAC installation, either actual or estimated.

(b) 1. The installing contractor shall supply the total dollar value of the installation, including labor and material costs regardless of the purchaser.

2. Except as provided in subparagraph 3b of this paragraph, an exact figure does not need to be quoted or divulged to the HVAC inspector or department.

3. The permit application shall include a statement signed by the applicant affirming that the total dollar value of the installation lies within certain limits, as listed in the left column of the table in clause c of this subparagraph and as established in clause d of this subparagraph.

a. The fees for heating, ventilation, or air conditioning system installation are listed in the right column of the table.

b. The department may request documented proof of costs from the permit applicant if the true value is in question.

c. The permit fee shall be calculated as follows:

Amount in dollars	Permit fee
\$2,000 or less	\$125
\$2,001 to \$10,000	\$180
\$10,001 to \$25,000	\$270
\$25,001 to \$50,000	\$330
\$50,001 to \$75,000	\$390
\$75,001 to \$100,000	\$500
\$100,001 to \$150,000	\$630
\$150,001 to \$200,000	\$760
\$200,001 to \$250,000	\$885
\$250,001 to \$300,000	\$1,025
\$300,001 to \$400,000	\$1,150
\$400,001 to \$500,000	\$1,500
\$500,001 to \$600,000	\$1,725

\$600,001 to \$700,000	\$1,900
\$700,001 to \$800,000	\$2,125
\$800,001 to \$900,000	\$2,355
\$900,001 to \$1,000,000	\$2,590
\$1,000,001 to \$1,100,000	\$2,820
\$1,100,001 to \$1,200,000	\$3,050
\$1,200,001 to \$1,300,000	\$3,280
\$1,300,001 to \$1,400,000	\$3,510
\$1,400,001 to \$1,500,000	\$3,735
\$1,500,001 to \$1,600,000	\$3,965

d. The permit for a commercial installation valued over \$1,600,000 shall be calculated at the cost of \$3,965 plus \$200 per \$100,000 or fraction thereof in excess of \$1,600,000.

(4) Request permit fees. (a) One (1) and two (2) family dwelling and homeowner. A permit request pursuant to Section 3(1) of this administrative regulation for a one (1) or two (2) family dwelling, or by a homeowner shall be seventy-five (75) dollars.

(b) Commercial. The fee for a permit requested pursuant to Section 3(1) of this administrative regulation for a commercial project shall be calculated the same as subsection (3) of this section.

(5) Correction and Testing Permits. The correction and testing permit fee shall be seventy-five (75) dollars if application for a permit does not include any new installation.

Section 5. Inspection Fees. (1) Each heating, ventilation, or air conditioning system permit shall include three (3) heating, ventilation, or air conditioning system inspections at no additional cost.

(2)(a) A heating, ventilation, or air conditioning system inspection in excess of the three (3) provided with purchase of permit shall be performed at the rate of fifty (50) dollars per inspection.

(b) Payment shall be received by the inspecting authority prior to the final inspection approval being granted.

Section 6. Expiration of Permits. (1) A heating, ventilation, or air conditioning system installation permit issued under this administrative regulation shall expire six (6) months after the date of issuance unless the permitted work has begun.

(2) If construction begins within six (6) months of permit issuance:

(a) The permit shall be effective until completion of the planned heating, ventilation, or air conditioning system inspection; or

(b) If the work ceases on a permitted project for a period exceeding twelve (12) months, the permit shall be void.

Section 7. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "HVAC Construction Permit Application: Commercial Buildings", Form HVAC 27, May 2020;

(b) "HVAC Construction Permit Application: Multi-family Dwellings", Form HVAC 28, May 2020;

(c) "HVAC Construction Permit Application: One (1) & Two (2) Family Dwellings", Form HVAC 29, May 2020; and

(d) "HVAC Construction Permit Application: Homeowner One (1) & Two (2) Family Dwellings", Form HVAC 30, May 2020.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Housing, Buildings, and Construction, Division of Heating, Ventilation, and Air Conditioning, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8:30 a.m. to 4:30 p.m. (36 Ky.R. 2004; 2194; eff. 6-4-2010; 41 Ky.R. 1193; 1793; eff. 3-6-2015; 44 Ky.R. 2446; 45 Ky.R. 345; eff. 8-22-2018; TAm eff. 5-29-2020.)